

Hazardous Waste Management Commission Report

January through March 2015

Quarterly Report



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Hazardous Waste Management Commissioners

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"The goal of the Hazardous Waste Program is to protect human health and the environment from threats posed by hazardous waste."

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Past issues of the Hazardous Waste Management Commission Report are available online at www.dnr.mo.gov/env/hwp/quarerlyreport.htm.



**Missouri Department of Natural Resources
Hazardous Waste Program**

Cover Photo: Enos Green Property

Letter from the Director

Dear Commissioners:

This edition of the Commission Quarterly Report covers the time period of Jan. 1 through March 31, 2015. During this quarter, we have seen a lot of progress made on two very important rule issues that the program has been working on, our fee stakeholder effort and the “No Stricter Than” rule package.

In regard to our fee stakeholder efforts, meetings were held in January, February and March this quarter, which resulted in a proposal being developed for a potential change to the program’s fee structure. The proposal would change the current \$100 generator registration and renewal fee to a tiered fee structure assessing a \$150 fee for Conditionally Exempt and Small Quantity Generators and a \$500 fee for Large Quantity Generators. The proposal would also change the In-State Generator Fee from the current \$5 per ton to \$6.10 per ton, as well as change the minimum and maximum fees associated with this fee. The minimum fee would change from \$150, assessed to anyone generating less than 30 tons, to a minimum of \$200 per ton assessed on the first ton of waste, with each additional ton being assessed the \$6.10 per ton fee. The maximum amount for this fee would also change from \$52,000 to \$57,000. The proposal also included a change to the Land Disposal Fee. This fee is proposed to change from the current \$25 per ton to \$29.50 per ton or partial ton. These changes to the fee structure if ultimately approved are expected to generate an additional \$502,165 in annual revenues. While this proposed increase will not address all of the program’s projected funding shortfall, it is certainly a step in the right direction, and we are very appreciative of our stakeholders who have helped us work through this process to come up with a proposal that will be presented to the commission, and ultimately, if approved, taken through the formal rulemaking process.

In regard to the “No Stricter Than” rulemaking effort, on Feb. 20, 2015, the department published the Regulatory Impact Report, which began a 60-day comment period on the document. This currently puts the department on schedule to have this rule completed before the end of the year, which is required by law or the rules identified by the department previously as being more stringent would become null and void. It is expected that the public hearing for this rule will be held at the June 18 commission meeting, with the adoption to occur at the Aug. 20 commission meeting.

As you are aware, these two rule items will be a major focus for the program and the commission this year. As always, we appreciate the commission’s role in this process and look forward to working with you on these very important issues.

Beyond these rule efforts, however, the staff continues to be very busy doing their day to day activities. I hope you enjoy reading about these efforts in this edition of the Quarterly Report.

And finally, this quarter also sees us saying goodbye to Chairman Deron Sugg, who joined us for his final meeting in February. We appreciate the five years he has dedicated to the commission, his service as the Commission Chair and Vice-Chair and wish him the best of luck in his new endeavors as he moves out of state.

Sincerely,



David J. Lamb
Director

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Brownfields/Voluntary Cleanup Program Certificates of Completion

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands. Through this program, private parties agree to clean up a contaminated site and are offered some protection from future state and federal enforcement action at the site in the form of a “no further action” letter or “certificate of completion” from the state.

The Brownfields/Voluntary Cleanup Program (BVCP) issued seven certificates of completion for various sites from January through March 2015. This brings the total number of certificates of completion issued to 755.



Enos Green Property-Festus

The Enos Green Property site is located at 1200 American Legion Drive, Festus. The 1.43-acre site consists of a small business establishment with a parking lot located on the south side of the building. In August 1995, the property owner, Enos Green, discovered loads of dumped materials, which he believed might have originated from The Doe Run Company facility in Herculaneum. The results of a sampling investigation of some of the fill materials by the Missouri Department of Natural Resources' Environmental Services

Program conducted on Aug. 25, 2000, found levels of arsenic, cadmium and lead significantly higher than background samples collected on the property. As part of a settlement agreement with The Doe Run Company and with concurrence of the Hazardous Waste Program's Compliance and Enforcement Section, the site entered into the BVCP for oversight of the remediation. Approximately 781 tons of dross material and lead-contaminated material present on the property required removal. Removal of the materials was initiated with a single cleanup target level agreed to as part of a settlement agreement. The department determined that the site is safe for its intended use.

Citadel Plaza-Kansas City

The Citadel Plaza site is located at 63rd Street and Prospect Avenue, Kansas City. The subject property includes 155 parcels which are predominantly vacant. Historical usage of all site properties were residential (detached single-family), except for small commercial properties along Prospect Avenue and 63rd Street. These commercial properties included: dry cleaners, gas stations, an auto repair facility and a printing facility.

Successful excavation of buried suspect asbestos-containing materials (ACM) was completed on 58 parcels and the materials were disposed of as asbestos containing waste according to all applicable regulations. Fifty parcels contained soil mounds and/or concrete piles suspected of containing asbestos-containing building materials (ACBMs). The soil mounds and concrete piles on these 50 parcels were investigated and any confirmed ACM were removed from the property and disposed of as asbestos-containing waste according to all applicable regulations. The department determined that the site is safe for its intended use.

American TV & Appliance (Former)-Bridgeton

The former American TV & Appliance site is located at 5665 St. Louis Mills Boulevard, Bridgeton. This site is approximately 10 acres and lies within the boundaries of a former 30-acre water treatment lagoon. This site became a portion of the Bonfils Service Corporation's trickling filter plant in 1957.

The site was converted into Bonfils sewage lagoon in 1973 and operated as a lagoon until 1995 when it was permanently closed. The site was developed with a store for use by American TV & Appliance in 2004, and the store closed in 2011. Metals, primarily arsenic and manganese, were found in the soil and groundwater above the default target levels (DTLs).

Groundwater monitoring indicated the plume was stable, and the contaminants are well below non-residential land use target levels. An environmental covenant is in place to ensure future non-residential land use and to prohibit the domestic use of groundwater at the site. The department determined that the site is safe for its intended use.

Dycron Plastics (former)-St. Louis

The former Dycron Plastics site is located at 4321 Finney Ave., St. Louis. The site is a vacant 0.57-acre property located in a mixed industrial, commercial and residential zone. The site contains a 25,011-square-foot, two-story brick and masonry structure and adjoining paved area. The site was developed around 1911 as a laundry company, which operated on the site until the early 1990s. Between 1921 and 1967, five underground storage tanks (USTs) were permitted and installed at the site. Three of the five USTs were discovered to still remain on-site in the spring of 2010 and were excavated in the summer of 2012. Contents of the USTs were determined to be gasoline, aqueous sodium hydroxide, and #5 boiler fuel oil.



A Tier 1 Risk Assessment Report evaluated the analytical data collected between 2012 and 2014 and compared the data to the 2006 Missouri Risk-Based Corrective Action (MRBCA) risk-based target levels (RBTLs) for current and future exposure routes and pathways. Based on the removal of the contaminant source and that concentration of contaminants in groundwater are below Tier 1 residential use RBTLs and that contaminants in the subsurface soil are below construction worker RBTLs, the site meets the requirements for unrestricted use. The department determined that the site is safe for its intended use.

Market Street Office Building-St. Louis

The Market Street Office Building site is located at 1010 Market St., St. Louis. The 0.822-acre site was developed in 1982 and consists of a 20-story office building that occupies the whole site. A historic filling station that had a UST was also identified adjacent to the site. The 2,000-gallon diesel UST was removed in 1998 and the department issued a no further action letter for its closure.

Site investigations revealed that the contamination from the UST removed in 1998 had impacted the soil and groundwater at the site. Indoor inhalation through soil vapor and groundwater; dermal contact, ingestion and outdoor inhalation through surficial soil were identified as exposure pathways.

Analytical results were compared to the 2006 MRBCA DTLs and residential Tier 1 RBTLs. All contaminants of concern for surficial soil and soil vapor samples were below DTLs or residential RBTLs. All contaminants of concern for groundwater were below DTLs with the exception of lead for the last three groundwater sampling events. However, as the drinking water pathway is incomplete for the City of Saint Louis, the groundwater contamination poses little risk.

Canadian Pacific - Excelsior Springs Yard-Excelsior Springs

The Canadian Pacific - Excelsior Springs Yard site is located at 1000 Dunbar Ave., Excelsior Springs. The property is a mile long portion of active railway in rural northwestern Missouri. Previous site use included bulk chemical storage, locomotive maintenance and a passenger station.

A 2010 Phase II Environmental Site Assessment (ESA) confirmed that impact to soil was either below detection limits, below DTLs, or within background concentrations for Clay County. However, total petroleum hydrocarbons gasoline range organics (TPH-GRO), total petroleum hydrocarbons diesel range organics (TPH-DRO), benzene and naphthalene were detected in groundwater above DTLs at various locations throughout the site. A Tier I Risk assessment was conducted in accordance with the 2006 MRBCA guidance in May of 2014 to determine the potential risk posed by groundwater contamination. A hydraulic conductivity study was included in the risk assessment. While contamination in groundwater was determined to be above safe standards for drinking, the conductivity test concluded that groundwater production is insufficient for domestic use. The domestic use pathway is therefore considered incomplete. Contamination was determined to be below safe target levels for all other MRBCA pathways. The site therefore qualifies for unrestricted use. The department determined that the site is safe for its intended use.

United States Gypsum-Kansas City

The United States Gypsum North Kansas City Plant site is located at 1115 Armour Road, North Kansas City. This site was established in 1926 and has been continually owned and operated by United States Gypsum. The site consists of a main office, waste paper warehouse, paper manufacturing building, and rail and truck loading docks. The facility continues to produce paper lining used in the manufacturing of gypsum wallboard. A cleanup of a release from regulated USTs at this site is currently ongoing and being overseen by the department's Tanks Section. However, during the removal of two non-regulated fuel oil aboveground storage tanks (ASTs), soil contamination was discovered resulting from these ASTs and not from the regulated USTs. The site applied to the BVCP to address the contamination from the fuel oil ASTs.

Site characterization reports indicated levels of polycyclic aromatic hydrocarbons (PAHs) and TPH-DRO in soil that exceed the MRBCA guidance document's residential RBTLs. No contamination was detected in groundwater above the DTLs. Limited excavation was conducted to remove excessive contamination. A risk assessment in accordance with the MRBCA guidance indicated that remaining soil contamination meets RBTLs for non-residents and construction workers. However, since PAH contamination remains in surface soil, and TPH-DRO in subsurface soil, that exceeds residential RBTLs an environmental covenant is in place to ensure future non-residential land use. The department determined that the site is safe for its intended use.

Missouri Department of Natural Resources - Hazardous Waste Program

Sites in Brownfields/Voluntary Cleanup Program

Month	Active	Completed	Total
January 2015	222	751	973
February 2015	233	754	987
March 2015	231	755	986

New Sites Received: 14

January

Walmart Market #4057-00, Joplin

February

Kemper Military School Administration
Building, Boonville

Solar Trasport Tanker Release, Brookline

Letter Carriers Building, Kansas City

Apple Market (former), Kansas City

Yorkshire Cleaners - Telegraph Rd., St. Louis

P Grgurich Parcel, Building 3E17-A, Milan

B Campbel Parcel Residence Building 1W07-A,
Milan

B Jensen Building 1W02-B, Milan

L Stewart Parcel Building 1W12-A, Milan

C Kain Parcel Buildings 2E02-A and B, Milan

D Smith-Elder Parcel Building 3E02-A, Milan

J Harrelson Parcel Building 3E03-A and B, Milan

E J Smith Parcel Building 3E16-A, Milan

Sites Closed: 7

January

Enos Green Property, Festus

Citadel Plaza, Kansas City

American TV & Appliance (former), Bridgeton

February

Drycon Plastics (former), St. Louis

Market Street Office Building, St. Louis

Canadian Pacific - Excelsior Springs Yard,
Excelsior
Springs

March

United States Gypsum North Kansas City Plant,
North Kansas City

Drycleaning Environmental Response Trust Fund

The Department of Natural Resources' Drycleaning Environmental Response Trust (DERT) Fund provides funding for the investigation, assessment and cleanup of releases of chlorinated solvents from drycleaning facilities. The two main sources of revenue for the fund are the drycleaning facility annual registration surcharge and the quarterly solvent surcharge.

Registrations

The registration surcharges are due by April 1 of each calendar year for solvent used during the previous calendar year. The solvent surcharges are due 30 days after each quarterly reporting period.

Calendar Year 2015	Active Drycleaning Facilities	Facilities Paid	Facilities in Compliance
January - March 2015	136	59	48.38%

Calendar Year 2015	Active Solvent Suppliers	Suppliers Paid	Suppliers in Compliance
January - March 2015	11	8	72.73%

Cleanup Oversight

Calendar Year 2015	Active Sites	Completed Sites	Total
January - March 2015	20	15	35

New Sites Received: 0

Sites Closed: 0

Missouri Department of Natural Resources - Hazardous Waste Program

Reimbursement Claims

The applicant may submit a reimbursement claim after all work approved in the work plan is complete and the DERT Fund project manager has reviewed and approved the final completion report for that work. The DERT Fund applicant is liable for the first \$25,000 of corrective action costs incurred.

Month	Received	Under Review	Paid/Processed
January	0	0	0
February	0	0	0
March	0	0	0

Month	Received	Under Review	Paid/Processed
January	\$0.00	\$0.00	\$0.00
February	\$0.00	\$0.00	\$0.00
March	\$0.00	\$0.00	\$0.00

Total reimbursements as of March 31, 2015: \$2,665,906.80

DERT Fund Balance as of March 31, 2015: \$415,037.22

Project Prioritization, Planning, Tracking and Reporting

The U.S. Environmental Protection Agency (EPA) and the Department of Natural Resources share responsibility for protecting human health and the environment in Missouri. The Permits Section works with more than 100 facilities that currently treat, store, dispose or recycle hazardous waste in Missouri, or did so in the past. This includes issuing resource recovery certifications to companies that recycle hazardous waste and issuing hazardous waste permits to companies that must get a permit to treat, store or dispose of hazardous waste.

It is the section's responsibility to review hazardous waste permit and resource recovery certification applications, review and provide technical comments regarding the facilities' design and operating plans for sound engineering practices, issue or deny hazardous waste permits and resource recovery certificates, and oversee construction, operation, monitoring and clean-up of these facilities from the time they are permitted/certified until they close.

The Permits Section also reviews and approves facility closure plans, which outline when and how the facility owners and operators will remove and clean their equipment, structures and any releases to the environment when they decide to no longer conduct permitted hazardous waste management activities. The section also reviews and approves post-closure care plans for facilities that close hazardous waste management units, such as in landfills or surface impoundments, with hazardous waste or hazardous constituents remaining in place at levels that require ongoing care and agency oversight. These post-closure care plans detail how facility owners and operators will monitor and maintain those areas to prevent the spread of contamination and ensure that unacceptable human and environmental exposure do not occur in the future.

Companies that are permitted to treat, store or dispose of hazardous waste or that previously operated according to interim status standards, whether currently operating or not, are required to investigate and clean up releases of hazardous waste and hazardous constituents to the environment at their facility. These activities, known as corrective action, cover all releases of hazardous waste and hazardous constituent to the environment, regardless of when the release occurred. It is the Permits Section's responsibility to review facility investigation, monitoring and cleanup work plans and reports to make sure they follow applicable laws, technical standards and generally follow applicable technical guidance.

At any given time, Missouri has facilities in various phases of operation, closure, post-closure or corrective action. These facilities can range in size from one to several thousand acres. Some facilities have widespread contamination problems that will take decades to address, while others have relatively minor contamination or none at all. Given this diversity, and the need for routine reporting of project status and progress to department management and EPA, prioritization and tracking of facility activities and accomplishments on several levels is imperative.

Prioritizing

The Permits Section works closely with EPA to prioritize activities at facilities that have pressing operational needs and those facilities that pose the worst actual or potential threats to human health or the environment. The section coordinates, both internally and with EPA, on the priority of individual projects and tasks at hazardous waste facilities subject to our section's oversight. In the early 1990s, EPA developed the National Corrective Action Prioritization System, or NCAPS, to prioritize hazardous waste facilities that must perform corrective action. This ranking system provided a nationally consistent approach to assessing site factors, leading to ranking facilities as low, medium or high priority. Ranking

elements included things such as the types and volumes of wastes present, contamination release pathways and potential exposures to contamination by humans and the environment. While the NCAPS system is no longer in current use, previous rankings under this system identified the high priority facilities where we direct most of our corrective action resources today. Though no longer driven by the NCAPS, prioritization of facility activities continues to evolve based on new information and facility/departmental needs.

Planning

Since 1995, EPA and states have implemented the National Environmental Performance Partnership System, or NEPPS. NEPPS is a performance-based system designed to improve the efficiency and effectiveness of state-EPA partnerships. Within this framework, EPA and the Permits Section work together to plan activities at all types of regulated facilities regardless of priority ranking. This serves to focus resources on the most pressing environmental problems and take advantage of each other's abilities. Every year the department and EPA Region 7 negotiate a Performance Partnership Grant (PPG) Work Plan, which provides the framework for EPA grant-driven regulatory activities to be performed by the department's air, water and hazardous waste programs during the years covered by the PPG Work Plan. This document lists overarching goals for the Permits Section, the majority of which relate to the EPA's national goals established pursuant to the federal Government Performance and Results Act.

Facility-specific current and future goals for the Permits Section and our EPA counterparts are negotiated on a yearly basis and listed in a related document called the Multi-Year Facility Planning Strategy, or MYFPS. The MYFPS document identifies and prioritizes major tasks associated with individual projects relating to permits, permit modifications, orders or expedited agreements, corrective action activities, closure/post-closure activities, groundwater monitoring system evaluations and other related regulatory activities. The Permits Section works closely with EPA Region 7 on an ongoing basis to track progress against established goals and make revisions to the MYFPS document based on the facility's priority ranking, project element status and other appropriate criteria.

The MYFPS is a "living" document that includes goals we believe to be achievable if all Permits Section staff positions are filled and all projects go relatively smoothly. Projected tasks and completion dates are routinely revisited and updated for a variety of reasons, such as staff turnover and resources, facility bankruptcy, permit appeals, corrective action dispute resolution, investigation findings leading to additional work, public comments and intervening short-term priorities. The MYFPS document does not capture the many "unplanned" grant-related activities that come about during the year, including facility-proposed permit modifications, incremental/phased work done in support of existing MYFPS goals, facility-proposed interim measures, newly-identified Solid Waste Management Unit and Area of Concern investigations, and ongoing involvement in national permitting/corrective action initiatives. The MYFPS document also does not capture non-grant-related activities such as state resource recovery certification and modification activities.

Tracking

Project progress and completion of short- and long-term goals at hazardous waste facilities overseen by the Permits Section are tracked, both internally and externally. Internal tracking is done through the department's Permit Action Management System, or PAMS, and section-specific Master Task List databases. PAMS is maintained by the department's Division of Environmental Quality (DEQ) and used to track various types of permit-related activities across several DEQ programs, including air pollution, water protection, solid waste, drinking water and hazardous waste. The Permits Section uses PAMS to track all major activities and milestones relating to permits, permit modifications, corrective action, closure/post-closure, groundwater monitoring, financial assurance, appeals and other regulatory activities

External tracking is done through the EPA's RCRA Information database, better known as RCRAInfo. The Permits Section's commitment to perform tracking through this database is included in the PPG Work Plan mentioned above. This database is maintained by the EPA and the states and includes detailed facility-specific information for hazardous waste generators, transporters and treatment, storage and disposal facilities. RCRAInfo contains facility identification and location data and information on hazardous waste activities including permitting, closure/post-closure, corrective action, compliance with federal and state regulations, program management and reporting. For all state- and joint-lead activities, the Permits Section is responsible for entering data related to permitting, corrective action, financial assurance, inspection, some enforcement-related events, institutional control and geographic information system, or GIS, information. As new entries are made, the section performs ongoing data quality checks for historical state and EPA data. The section corrects errors for state- and joint-lead database entries and forwards potential corrections to the EPA database for reconciliation.

Reporting

In 1993, the federal government passed the Government Performance and Results Act, or GPRA, which is one of a series of laws designed to improve program management throughout the federal government. This law holds federal agencies accountable for using resources wisely and achieving program results. GPRA requires federal agencies to set yearly goals for what they intend to accomplish, measure their results, and report their success or failure in meeting those goals to Congress at the end of that year.

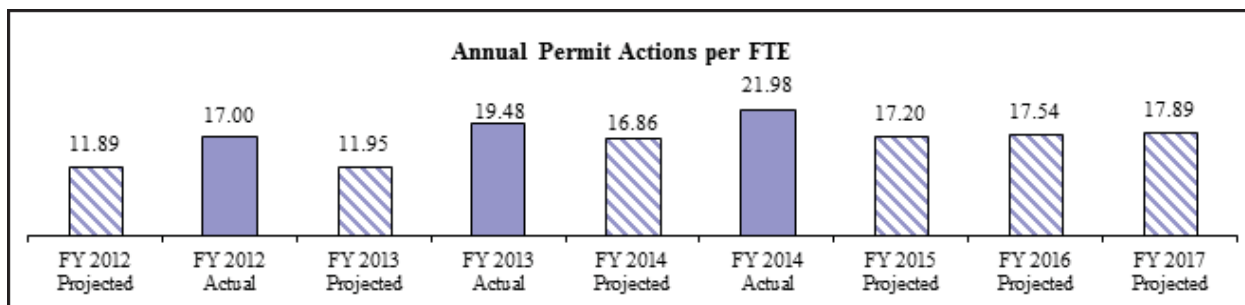
In 2010, the federal government passed the GPRA Modernization Act, which is essentially an amendment to GPRA. The GPRA Modernization Act requires more frequent reporting and reviews (quarterly instead of annually) that are intended to increase the use of performance information in program decision-making. The EPA relies almost exclusively on the information entered into RCRAInfo to assess project progress and achievement of regional and national GPRA goals.

EPA-authorized states, such as Missouri, are also held accountable for using resources wisely and achieving program results. At the end of each federal fiscal year, the Permits Section prepares a report for the EPA, documenting progress on all PPG Work Plan and MYFPS goals during that fiscal year. The report focuses mainly on permitting, corrective action and groundwater inspection and evaluation activities and includes reporting on all planned and unplanned activities. MYFPS project elements are reported as complete or incomplete. The reports contain a summary of all MYFPS goals, an explanation of any completion delays, new projected completion dates for any incomplete goals and a summary of additional unplanned/non-MYFPS accomplishments. Completed activities that were not specified in the MYFPS are summarized and reported as additional accomplishments. Some of these additional accomplishments constitute grant-related work that can be substituted in satisfaction of federal grant requirements for equivalent grant-related work that could not be completed as planned.

All in all, the Permits Section conducts many project prioritizations, planning and reporting activities on an ongoing basis. This requires substantial resources and is an essential part of the section's work, since tasks are not considered completed and goals met until project-related information is updated in the appropriate databases.

Missouri Department of Natural Resources - Hazardous Waste Program

PERMITS



	FY 2012 Projected	FY 2012 Actual	FY 2013 Projected	FY 2013 Actual	FY 2014 Projected	FY 2014 Actual	FY 2015 Projected	FY 2016 Projected	FY 2017 Projected
Action/FTE	11.89	17.00	11.95	19.48	16.86	21.98	17.20	17.54	17.89
PAMS Actions		363		415		440			
# Calculated Section FTE		21.4		21.3		20.02			
# of Sites with Permit Actions in PAMS		80		85		70			

Source: Permit Action Management System (PAMS) based on records with a start date or a completion date during the fiscal year or a start date prior to the fiscal year but no completion date. PAMS is updated as information is received. This may retroactively affect the numbers from previous years. FTE based on information pulled from SAM II HR Database. 1 FTE = 2080 hours. Contact Theresa Doggett, HWP Permits Section.

Regional Office Hazardous Waste Compliance Efforts

- Conducted 90 hazardous waste generator compliance inspections:
 - 16 at large quantity generators.
 - 25 at small quantity generators.
 - 40 at conditionally exempt small quantity generators.
 - 7 at E-waste recycling facilities.
 - 2 at resource recovery facilities.
- Conducted four compliance assistance visits at hazardous waste generators.
- Conducted one targeted re-inspection at hazardous waste generators.
- Issued 26 letters of warning and eight notices of violation requiring actions to correct violations cited during the 95 inspections conducted.
- Received and investigated a total of 28 citizen concerns regarding hazardous waste generators.

Underground Storage Tank (UST) Compliance and Technology Unit (CTU)

Tank inspection contract – The request for proposal for the new tank inspection contract closed with the submittal(s) currently under review. The inspection contractor conducts inspections of active underground and aboveground storage tanks for the Missouri Department of Natural Resources and the Missouri Petroleum Storage Tank Insurance Fund. Contact the Missouri Office of Administration for details.

Operator training – Operator training is now available online. Class A/B operator training and Class C operator training are both available, as well as a “test only” option. The draft rule is also available online, which includes a compliance deadline of July 1, 2016. The department and the fund will also be accepting reciprocity from some of our neighboring states. Stay tuned! The training program and draft rule may be found on the fund’s webpage: <http://optraining.pstif.org/intro/>

Federal Rule changes – In 2011, EPA proposed significant changes to the UST regulations. The final version of those rules is expected to be announced shortly. The proposed rule includes new testing requirements for release detection equipment, overfill prevention equipment (e.g. flapper valves, ball float valves and alarms), spill buckets, and containment sumps. Under the proposed changes, previously deferred airport fuel hydrant systems, field constructed tanks, and even some oil water separators will now be regulated. Missouri must also include a new requirement for all new systems installed after July 1, 2017, to be double walled with enhanced leak monitoring. For updates and information on these upcoming rule changes, please visit our webpage: <http://dnr.mo.gov/env/hwp/ustchanges.htm>

Tank Inspections – State Fiscal Year 2015 contract inspections are complete. Department inspections continue. And as we have seen in previous years, Missouri owners, operators and contractors continue to demonstrate their proactive compliance by being responsive to issues when found, demonstrating a willingness to be a partner in ensuring all Missouri USTs are in compliance. The department is maintaining compliance with the EPA requirement of inspecting all regulated facilities at least every three years, and must also demonstrate that all facilities are either in compliance or are moving to gain compliance. This goal is much easier to accomplish when owners, operators, contractors and regulators are all working together.

Financial Responsibility – Efforts continue to resolve violations with facilities that did not maintain a financial responsibility (FR) mechanism to address releases and to protect third parties. Because of these efforts by UST CTU staff and the Attorney General’s Office, the number of facilities without a verified FR mechanism continues to remain at less than 1.5 percent.

Special Facilities Unit

Commercial Facility Inspectors – Special facilities inspectors conducted eight inspections of commercial hazardous waste treatment/storage/disposal facilities (TSDs).

Polychlorinated Biphenyl (PCB) Inspector – The inspector conducted eight compliance inspections at various types of facilities throughout the state. The inspector's reports are forwarded to the U.S. EPA Region 7, which has authority for taking any necessary enforcement action regarding PCBs according to the Toxic Substances Control Act.

Hazardous Waste Transporters – A new inspector was hired and he attended the required six weeks of training during January and February.

Hazardous Waste Enforcement Unit

Enforcement Efforts

- Resolved 20 hazardous waste enforcement cases.
 - *Twelve fees and taxes fees cases.*
 - *Three small quantity generator (SQG) cases.*
 - *Three conditionally exempt small quantity generator (CESQG) cases.*
 - *Two inactive hazardous waste generator cases.*
- Received 13 new enforcement cases.
- Sent four penalty negotiation offer letter.
- Issued one letter of warning.
- Issued two notices of violation.
- Completed five settlement agreements.
- Completed three administrative orders on consent.
- Completed two consent judgement/consent agreements.
- Completed one administrative penalty order.

Remington Arms Company (AOC)

On Sept. 21, 2012, the Kansas City Regional Office inspected the Remington Arms Company facility. A notice of violation was issued on Oct. 18, 2012, for failure to determine if waste was hazardous, acting as an unpermitted TSDF, numerous storage violations, and parts of their contingency plan were lacking. The department conducted a follow-up inspection on Feb. 7, 2013, which confirmed that Remington had corrected all noted violations.

An initial administrative penalty of \$14,000 was calculated and Remington agreed to pay \$5,000 cash in upfront and to suspend \$9,000 for two years provided there are no hazardous waste violations or violations of the order. The administrative order on consent was finalized on Feb. 17, 2015.

Schaefer Autobody Center (AOC)

The St. Louis Regional Office conducted compliance evaluation inspections on May 5, 2011, and Nov. 30, 2011, at Schaefer Autobody. On Feb. 15, 2012, the department issued an NOV for failure to determine if a waste is hazardous; use a licensed hazardous waste transporter; use authorized TSD facilities; and

meet container requirements, storage requirements, and numerous emergency contingency requirements. A subsequent inspection was conducted on May 23, 2012. On Aug. 14, 2012, Schaefer Autobody had demonstrated correction of all noted violations.

On March 15, 2015, Schaefer Autobody and the department entered into an administrative order on Consent with a \$3,800 penalty paid to the St. Louis County School Fund and \$3,800 suspended for two years provided there are no hazardous waste violations or other violations as specified in the order.

Tyson Foods Inc. (CJ)

On June 5, 2014, the Southwest Regional Office conducted an inspection at the Tyson facility located in Aurora and Monett. The inspection was the result of a concern of fish kills downstream of the City of Monett water treatment facility. During the investigation it was determined that the Tyson facility in Aurora had a release of hazardous waste and had transported that waste to the Tyson waste water treatment facility in Monett for disposal, which was subsequently released to the City of Monett waste water treatment facility. The release caused significant damage to surface water, aquatic life and other natural resources.

As a result of the inspection, a notice of violation (NOV) was issued to the Tyson facility in Aurora for failure to determine if a waste is hazardous; use a licensed hazardous waste transporter; use the manifest system; use an authorized TSD facility; update notification; and operate and maintain the facility to minimize the possibility of an emergency. Additionally, the Tyson facility in Monett was issued an NOV for acting as an unpermitted TSD facility.

The department and Tyson entered into a multimedia consent judgement on January 22, 2015. Tyson agreed to a civil penalty of \$110,000, to pay \$162,898.78 in natural resources damages, and to pay \$47,101.22 in cost recovery. Tyson also agreed to complete a Missouri Supplemental Environmental Performance Project to replace a low water crossing to improve and allow an all-weather crossing over the affected waterway while facilitating fish passage and sediment transport.

Pesticide Collection Event January-March 2015 Quarterly Report Summary

The Pesticide Collection Program has scheduled five pesticide collection events for calendar year 2015. One collection event will take place in every region of the state:

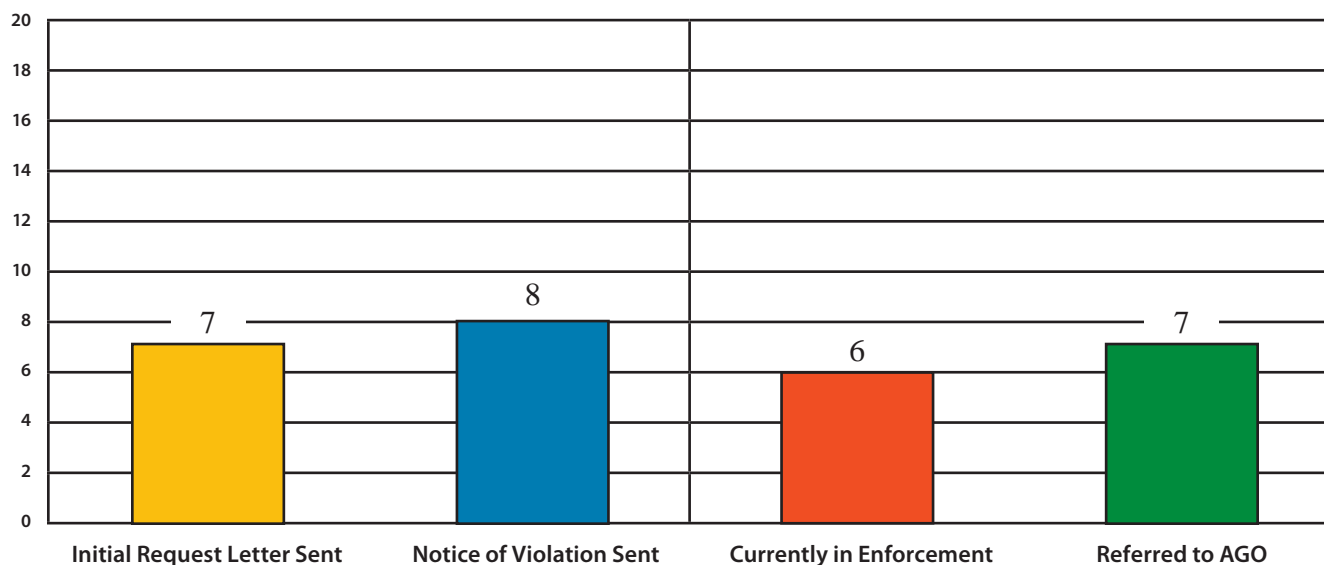
- Portageville: May 30, at the University of Missouri Fisher Delta Research Center, 147 West State Highway T, Portageville.
- Mt. Vernon: June 20, at the University of Missouri Southwest Research Center, 14548 Highway H, Mount Vernon.
- Higginsville: July 18, at the Lafayette County Road and Bridge Facility, 19717 Outer Road, Higginsville.
- Owensville: Aug. 15, at the Owensville Police Department, 109 N. Second St., Owensville.
- Kirksville: Sept. 19, at the Charles Krueger Public Works Complex, 2001 North Osteopathy, Kirksville.

Additionally, a request for proposal (RFP) for pesticide collection services has been issued and proposals were due on April 20, 2015. The RFP is exclusively for services required for pesticide collections and addresses all collection events held in 2015 and beyond. Having a contract in place specifically for these services will simplify the process and reduce staff time and effort needed during set up and follow through after each event and ensure consistency and high quality of services from our contractors during these events. We have also continued to expand our education and outreach efforts by working on website and fact sheet updates, updating pesticide collection program standard operating procedures and planning for outreach opportunities such as the Cole County Fair and Missouri State Fair.

Underground Storage Tank Facilities with Unknown Financial Responsibility Status Report

Financial Responsibility Status	Number of Facilities
Initial Request Letter Sent	7
Notice of Violation Sent	8
Currently in Enforcement	6
Referred to Attorney General's Office	7
Total Number of Facilities with Unknown Financial Responsibility	28

Number of Facilities in Each Financial Responsibility Step



*This semi-monthly report is derived directly from a copy of the UST Database and provides a “snapshot” of the status for each active underground storage tank facility not covered by a proper Financial Responsibility Mechanism.

DNR Attends the Annual Petroleum and Convenience Store Association Exposition

Staff from the Hazardous Waste Program, Tanks Section, recently attended the Petroleum & Convenience-Store Exposition of Mid-America (PACE) that was held at the Kansas City Convention Center, Bartle Hall on Feb. 27-28, 2015. PACE is the premier Midwest tradeshow with more than 4,000 attendees from the four-state area of Missouri, Kansas, Iowa and Nebraska. This regional tradeshow attracts many key industry leaders. This show features the latest in petroleum and convenience store products, tank system equipment, hardware, soft goods, technology, and the hottest new trends and services.

Staff had a chance to meet and inform members of the industry in an informal setting. Materials displayed included the Missouri Resources magazine, a variety of the department technical bulletins on underground storage tank management, and other underground storage tank publications. Many questions were answered, policies discussed, and even a few compliments were received.

Staffing the booth from the Hazardous Waste Program were Chris Veit, Closure, Release and Investigations Unit, and Heather Peters, Compliance and Enforcement Section Petroleum Storage Tank Enforcement Unit. Several members of the Tanks, and Compliance and Enforcement sections attended the exposition.

Tanks Section Planning Workshop at the Missouri Waste Coalition Conference

The Hazardous Waste Program's Tanks Section is coordinating with the Missouri Waste Control Coalition to plan the 2015 Missouri Waste Control Coalition Conference (MWCC) at the Tan-Tar-A Resort at the Lake of the Ozarks on July 12-14. The Tanks Section will also be holding a tanks workshop as part of the conference. This will be the seventh annual workshop in conjunction with the MWCC events. This workshop is targeted toward environmental consultants who provide services to tank owners and operators. The workshop will provide consultants with information and training regarding free product recovery, proposed federal rulemaking on underground storage tanks, groundwater pathway issues, and other remediation topics.

The workshop will include departmental staff, along with private consultants, private laboratories and others. The Environmental Protection Agency may also participate in the conference as an exhibitor and in a support role.

Petroleum Storage
Tanks Regulation
June 2015

Staff Productivity	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	TOTAL
Documents received for review	161	189	222	208	163	166	176	189	183	0	0	0	1,657
Remediation documents processed	140	123	146	171	166	115	111	126	138	0	0	0	1,236
Closure reports processed	9	10	14	24	8	13	13	4	10	0	0	0	105
Closure notices approved	9	9	10	10	8	5	7	13	12	0	0	0	83
Tank installation notices received	7	5	5	5	4	3	7	4	9	0	0	0	49
New site registrations	4	7	2	4	5	1	1	2	0	0	0	0	26
Facility Data	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	TOTAL
Total in use, out of use and closed USTs	40,756	40,773	40,789	40,807	40,827	40,839	40,848	40,859	40,869	0	0	0	
Total permanently closed USTs	31,676	31,703	31,777	31,806	31,819	31,837	31,857	31,873	31,890	0	0	0	
In use and out of use USTs	9,080	9,070	9,012	9,001	9,008	9,000	8,989	8,984	8,976	0	0	0	
Out of use USTs	739	746	709	702	693	701	696	691	695	0	0	0	
Total hazardous substance USTs	404	404	404	404	404	404	404	405	405	0	0	0	
Facilities with in use and out of use USTs	3,483	3,482	3,461	3,456	3,458	3,455	3,456	3,454	3,455	0	0	0	
Facilities with one or more tank in use	3,229	3,226	3,220	3,218	3,222	3,216	3,217	3,216	3,214	0	0	0	

Closures

Underground Storage Tanks	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	TOTAL	All Yrs
Closure Reports Reviewed	9	10	14	24	8	13	13	4	10	0	0	0	105	
Closure Notices Approved	9	9	10	10	8	5	7	13	12	0	0	0	83	
Number of Tanks Closed (Closure NFA)	14	17	43	46	22	18	16	12	33	0	0	0	221	

Cleanup

Underground Storage Tanks													TOTAL	All Yrs
UST release files opened this month	4	7	10	14	7	9	7	5	7	0	0	0	70	6,672
UST cleanups completed this month	8	6	15	7	11	10	2	10	15	0	0	0	84	5,819
Ongoing UST cleanups	865	866	863	869	864	863	866	858	849	0	0	0		
Aboveground Storage Tanks														
AST release files opened this month	1	0	0	2	5	1	0	0	0	0	0	0	9	475
AST cleanups completed this month	2	1	0	2	0	1	0	1	0	0	0	0	7	293
Ongoing AST cleanups	182	181	180	179	183	183	183	182	182	0	0	0		
Both UST and AST														
Total release files-both UST & AST	0	0	0	0	0	0	0	0	0	0	0	0	0	78
Cleanups completed-both UST & AST	0	0	1	1	0	0	0	0	0	0	0	0	2	51
Ongoing cleanups-both UST & AST	29	29	29	28	28	27	27	27	27	0	0	0		
Unknown Source														
Total release files-unknown source	0	1	0	0	0	0	0	0	0	0	0	0	1	227
Cleanups completed-unknown source	0	0	1	0	0	0	0	1	0	0	0	0	2	184
Ongoing cleanups-unknown source	20	21	19	19	20	19	19	19	18	0	0	0		
Documents Processed	140	123	146	171	166	115	111	126	138	0	0	0	1,236	
*Reopened Remediation Cases	0	1	0	0	0	0	0	0	0	0	0	0	1	79

* Reopened Remediation Cases was added Nov. 18, 2009 - the cumulative total has been queried and a running total will be tracked/reported with the FY 2010 Tanks Section Monthly Reports.

Effective December 2008 tanks with unknown substance will be included in total figures. Some measures are re-calculated each month for all previous months to reflect items added or edited after the end of the previous reporting period.